

REMARKS

Reconsideration of the application in view of the above amendment the following remarks is respectfully submitted.

The examiner has made comments regarding the necessity for an Information Disclosure Statement in the present application. The examiner states applicant's invention has been disclosed as part of IEEE Standard 1149.1.

This statement is respectfully traversed. Even the examiner has admitted that present invention is not shown in the IEEE Standard. In the first Official Action, dated October 24, 2000, the examiner cited this Standard as prior art made of record and not relied upon. Therefore, the examiner is now contradicting his own statements. Furthermore, even in the present Official Action, the examiner has not rejected any claim in view of this Standard. Therefore, it is clear that the examiner does not believe that the invention has been disclosed as part of the Standard and this statement should be withdrawn.

In paragraph 13 of the present action, the examiner states that applicants remarks regarding the IDS are not persuasive. The examiner has thus repeated his request.

Applicants do not believe that the examiner's statement of the requirements of an Information Disclosure Statement in paragraph 1 are correct. Applicants therefore repeat the statement made in the first Official Action that neither the inventor or the undersigned attorney are aware of closer prior art which would be material for the

examination of this application. In view of the examiner's continued statements, the inventors went out and found two additional references which are enclosed in an Information Disclosure Statement submitted herewith. Applicants do not believe that these references are more pertinent than the references already cited by the examiner, but wish that they be made of record.

The examiner rejects claims 4-21 under U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The examiner complains that applicant has added new claims 4-21, and has not pointed out support in the specification for these amendments. The examiner cites MPEP, Section 714.02. The examiner has specifically underlined and bolded portions of this section.

Although the examiner has underlined and bolded portions of the MPEP section, the examiner has missed the operative word in that section. The operative word is "should". The examiner equates the word "should" with "must". That is not the meaning of the word and it is not required that applicant point out the support of any amendments made to the claims absent a rejection made by the examiner that the claims are unsupported. The statement made in the present of present action of the claims are not supported in the specification is respectfully traversed. Support for these claims can be found in the application, inter alia, at page 14, lines 3-25, page 15, lines 8-12 and page 16, lines 15-23.

In paragraph 6 of the Official Action the examiner rejects claim 8, 10 and 14-15 under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. Next, in paragraph 7, the examiner rejects the same claims under the same paragraph as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections.

In view of the fact that these two rejections are for the same claims, the statements made for the examiner are self contradictory. Either he believes that these claims are method claims or he believes that they are apparatus claims, but they can not be both. For the record, claim 8 is a subcombination system claim and claim 14 is system claim and claims 10 and 15 are dependent upon claims 8 and 14 respectively. Accordingly, all of these claims are apparatus claims and not method claims. It is for that reason that the examiner cannot find method steps in these claims, as is appropriate.

With respect to the claims being incomplete for omitting essential structural cooperative relationships of the elements, applicants are confused because the statement is in direct contradiction to the examiner's statement in paragraph 11 in which claims 4-7 are deemed novel and non-obvious over the prior art and being allowed when all outstanding deficiencies are traversed. Since these claims were omitted from the '112, second paragraph rejection, it means that the examiner found these claims to meet the requirements of that paragraph. Yet if one compares the description of the security system in claim 8 and the security means described in claim 4, one finds that the description is identical. Claim 14 which claims the security system utilizes a very similar recitation of the elements. Accordingly, applicants wonder how the descriptions can be

acceptable in the allowed claim 4 but not acceptable in claims 8 and 14. Applicants submit that there is sufficient description in all of the claims to meet the '112, second paragraph, requirement. For example, claims 4 and 8 both recite a plurality of input ports for the processor. In claim 14 the recitation is for means for applying a plurality of commands to a plurality of ports for a processor. Clearly those skilled in the art know how a signal is applied to an input port of a processor is received by the processor and no further description is necessary. Next, the claims recite a program stored in the memory to operate the processor to receive a plurality of commands applied to a plurality of input ports and to process the commands to produce a password. Those skilled in the art know how a computer program can receive data on input ports of a processor and process the data to generate a password. Thus this need not be described in detail. Next is the recitation of the comparison of a password with a predetermined password, and this feature is shown in figure 3 of the reference Curd et al. cited by the examiner, and therefore is known in the art and need not be further described. Accordingly, applicants submit that all the elements are properly recited in sufficient detail to meet the requirements of '112, second paragraph.

The examiner rejects claims 8-21 under 35 U.S.C. 102(e) as being clearly anticipated by Curd et al. of record. The examiner states that Curd et al discloses overridable data protection mechanism for PLDs and refers to the abstract; fig. 1-3; col. 1, line 45 to col. 2, line 50. The examiner states that it should be noted that figure 3 discloses two separate inputs which are then compared.

We cannot agree. The present invention is not anticipated by or obvious over Curd et al. In order for rejection under section 102 to apply, all the elements of the present

invention must be shown in the cited reference. Firstly, claim 8 recites a processor interconnected with a memory and peripheral circuit on the integrated circuit. In Curd et al., the processor is in a computer system which is connected with the integrated circuit when it is time to program the integrated circuit. There is no processor on the integrated circuit, and thus a section 102 rejection must fail. Secondly, claim 8 recites a program stored in a memory to operate the processor to receive a plurality of commands applied to a plurality of input ports and process the commands to produce a password. Since there is no processor at all on the chip, there can be no program used to operate a processor. Furthermore, the examiner's statement to the contrary notwithstanding, figure 3 does not disclose two separate inputs which are compared. The input key register 302 is an input to the system which is compared with the data protect overwrite register key 301, which is data already contained in the system and thus not input into the system. It is true that both these registers are applied as inputs to the comparitors, but this is true of any comparitor.

The examiner states that claims 4-7 are deemed novel and non-obvious over the prior art of record and will allowed when all outstanding deficiencies are traversed. Applicants have traversed all of the deficiencies recited above and therefore believe that these claims are allowable, although to allow these claims and not allow the other claims, as discussed above, is a contradiction.

In view of the numerous self contradictory portions of the present Official Action, applicants request that if the examiner does not find the application, as amended, is in condition for allowance, that the Official Action be withdrawn and replaced with an Official Action which is not repeatedly self contradictory.

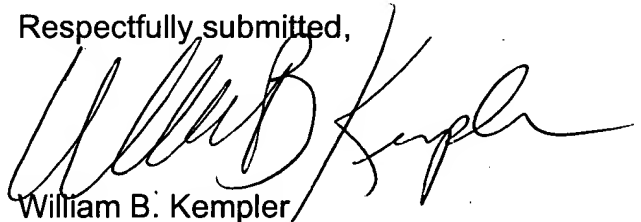
An Information Disclosure Statement is enclosed herewith.

Although the examiner has allowed claim 4, applicants have found a typographical error in the claim and have amended the claim in order to correct the typographical error only. In addition, a typographical error in claim 8 is corrected herewith. No other claim changes have been made.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current preliminary amendment. The attached page is captioned **"Marked-up version to show changes."**

Accordingly, applicants believe that the application, as amended, is in condition for allowance, for allowance and such action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William B. Kempler', is written over the typed name.

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